

12-cv-185-JL

Dominic Ali 81829
138 East Millway Road
Berlin, NH 03570

United States District

Court For Dis of N.H.

7/18/2013

55 Pleasant St. Room 110

Concord, NH 03301-3441

Dear Mr. Clerk,

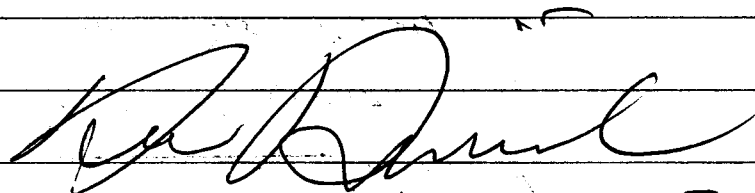
I have a writ of
Habeas Corpus doc NO. 1 filed with this
Court, pursuant to 28 U.S.C. 2254, claiming
violation of Constitutional Right Federal.

On or about August, 2012, I filed a motion
for transcript of the proceeding of 9/18/2004
at the Goffstown District Court. The Court
sent me a tape player. I ask for transcrip-
t in writing. Because we don't have tape
player or me. And it hard for me to review
over in time if I like. So, today I had a
chance to review the tape, something don't
sound right on the Court proceeding tape on
the record. Some of the proceeding was
omitted from the record were the Judge
threaten me and when my lawyer

told the Judge, that I'm from Sudan and that I didn't know how serious the charges is. But he told me in the Holding cell that Nolo meant nothing and you will go home if you take a plea. I doubt, this is not the same Court record of the proceeding of 2004 Nolo contendere plea. So, I will ask this Court to order the Goffstown District Court to provide this Court with the 2004 proceeding of Nolo contendere. There is more on that record that will support my claim to dismiss this conviction. I have the two Court proceeding of 2004, 2011 Nolo contendere hearing - on Tape.

Please if you have any question please writ back. I'm trying to look for an Attorney.

Thank you.



[I want criminal investigation]

Please be advised Mr. Clerk; The Judge on the 2004 Proceed was Michael J. Ryan. If you listen to the Court record or transcript, it sound like Judge Paul H. Lawrence who proceed on 2011.

U.S. DISTRICT COURT
DISTRICT OF N.H.
FILED

Dominic Ali 81829

138 East Milan Rd

2013 JUL 23 A 11:21

Berlin, NH 03570

4th Cir District and Family

Division Goffstown

7/18/2013

329 Mast Road

Goffstown, NH 03045

Dear Mr. Clerk;

On or about August of 2012, I ask this Court by a motion requesting the proceeding of 9/28/2004 Nolo Contendere hearing that lead to a conviction. This Court sent me a tape player transcript, we don't have tape players. Can you send me the transcript in typing, writting please. In the recording, there a lots missing from the record. I wanna know why is that.

This case is pending with U.S. District Court now. Copy of this letter is been sent to the Court for the record also. please be advise, the two tapes also. I have to make copies for the record.

if you have any question, please write back, *Abdunnir* 81829

Dominic Ali 81829
138 East Milan Road
Berlin, NH 03570
DISTRICT COURT
DISTRICT OF N.H.
FILED
2013 JUL 23 A 11:21

Superior Court
300 Chestnut St.
Manchester, NH 03101

4/19/13

Dear Mr. Clerk;

This case is pending with the N.H. Supreme Court as to day. I'm providing you with all copies that you forwarded to me or the Manchester District. As is should this (DUP) should have been dismissed by both Courts and for the reason that I was not been aware of this Petition I was put in a Satitation that is this Court should have took care of by law. See; Dominic Ali v. Sara Nagy Case No. 08-DV-053). please assist.

Respectfully Submitted,
Dominic Ali

RECEIVED

APR 26 2013

6/4/2013 The Court is returning your letter and motions. If your Appeal is now at the Supreme Court, all correspondence and Motions are to be filed with the Supreme Court.

MANCHESTER DISTRICT COURT

THE STATE OF NEW HAMPSHIRE
SUPERIOR COURT

Hillsborough, ss

State of New Hampshire
v

Dominic Ali

Doc No. 04-M-440

MOTION FOR FUNDS FOR TRANSCRIPT

NOW COMES, Dominic Ali, Surdvis, respectfully requests this Honorable Court to grant this motion for the following reason states below;

Mr. Ali was charge with simple assault RSA 631:2-A class A misdemeanor and stalking Appenr RSA 633:3-A class A misdemeanor on or about March 29, 2004.

This Court issued a Domestic Violence Final order issued pursuant to RSA 173-B:9, IV by the Honorable Court Carol Ann Conboy having consider the plaintiff petition (drp) upon allege to the defendant Mr. Ali simple assault and stalking on or about March 29, 2004.

On April 1, 2004, Mr. Ali, was ordered to appear before the Court to answer to the complaint charging him simple assault and stalking that occurred on March 29, 2004. This Court issued a notice of hearing on April 8, 2004, for Mr. Ali and the plaintiffs to live testimony Room both parties in which Mr. Ali was not allowed by the Court to provide his testimony in which this Court granted a petition for temporary order based on these charges, that on May 26, 2004, The Honorable Court Norman E. Champagne dismissed all charges. See; attachment.

Mr. Ali, has filed a petition for writ of habeas corpus in which he attacks the validity of the protective order and his conviction of the violation of a protective order in 2004, by the Goffstown District Court and also his sentence enhancement in 2008, 858 by this protective order, that was filed under false allegation when there was insufficient of fact to support the issuance of an Ex-Part Temporary Protective order to the plaintiff. This case is pending with the N.H. Supreme Court, see; Doc # 214-2012-CV-00178, Ali v. Reilly, Warden, N.H. NCF, and also, Ali v. Warden, NCF, Doc # 2013, 0855

The extra details from the hearing on 4/8/04 by the plaintiff's testimony are useful in the defense prepare for trial.

More generally, these transcripts are of value because there is a reasonable probability that a witness may deviate at trial from his or her prior testimony in this Court. Thus, the transcripts are a valuable impeachment tool.

The equal protection and due process protection of the 14th Amendment to U.S. Constitution and Part (1) Article (15) of this State Constitution entitle an indigent defendant to a transcript at the State's expense when transcript is of value to his defense and there is no available alternative. See; Griffin v. Illinois, 351 U.S. 12 (1956). State v. Coffey, 129 N.H. 133 (1987).

Mr. Ali is unable to make more specific representation concerning the testimony at the Hearing on 4/8/04, at 1:30 pm. Federal Law does not, however, require any more specific representation to entitle Mr. Ali to a transcript in these circumstances. See; Griffin & Britt v. North Carolina, 404 U.S. 226, 227 (1971). "There can be no doubt that the State must provide an

3 of 5 indigent defendant transcripts when that

transcript is needed for an effective defense or appeal: Bundy v. Wilson, 815 F.2d 125 (1st cir 1987).

The Court has also emphasized that the holding in the line of cases that began with Griffin, involving a criminal defense's right of access to a transcript are firmly rooted in both the due process and equal protection clauses of the 14th Amendment.

To the extent that state law may require more, it is in conflict with Federal law. Cf. State v. Brown, 143 NH 197 (1998).

Mr. Ali has been informed that hearing transcripts would cost fees.

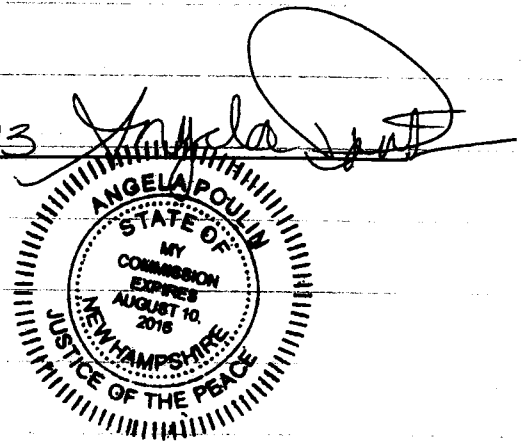
WHEREFORE, Dominic Ali, respectfully requests that this Court authorize the expenditure of the cost, so that Mr. Ali may obtain a transcript of the Temporary order and Notice of hearing on April 8th, 2004. 04-M-440-

Certificate of Service

I, Dominic Ali, hereby certify that copy of this motion has been forwarded in the U.S. mail First class postage address on April 19, 2013, to AG's Office.

Dominic Ali
4/19/2013

04/19/13



Dominic Ali

Dominic Ali 81829
138 East Milan Road
Berlin, NH 03570
C=File

For the Record,
the Court never send me the transcript.
Rob D'Amico